

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

**SUPERSEDING
INFORMATION**

-v-

ADRIANO GERMAN,
a/k/a "Moreno,"

S1 07 Cr. 959 (RMB)

Defendant.

- - - - -x

COUNT ONE

The United States Attorney charges:

1. From in or about May 2005, through and including at least in or about September 2006, in the Southern District of New York and elsewhere, ADRIANO GERMAN, a/k/a "Moreno," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ADRIANO GERMAN, a/k/a "Moreno," the defendant, and others known and unknown, would and did distribute, and possess with intent to distribute, a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine. in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

(Title 21, United States Code, Section 846.)

COUNT TWO

The United States Attorney further charges:

3. In or about July 2005, in the District of Maryland, ADRIANO GERMAN, a/k/a "Moreno," the defendant, unlawfully, willfully, and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics offense charged in Count One of the Information, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, to wit, a handgun.

(Title 18, United States Code, Sections
924(c)(1)(A)(i) and 2.)

Forfeiture Allegation

4. As a result of committing the controlled substance offense alleged in Count One of this Information, ADRIANO GERMAN, a/k/a "Moreno," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of said violation.

Substitute Asset Provision

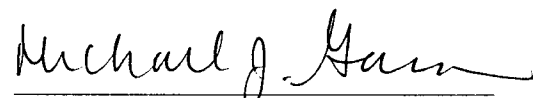
5. If any of the above-described forfeitable property, as a result of any act or omission of ADRIANO GERMAN,

a/k/a "Moreno," the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value;
- or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of ADRIANO GERMAN, a/k/a "Moreno," the defendant, up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841, 846 and 853.)


MICHAEL J. GARCIA
United States Attorney